

REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT

Report for Week Ending January 8, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

The RAB was notified by CID that potential illegal activities have occurred at the Beechnut Nutrition Site. Allegations were presented to indicate potentially asbestos containing material was removed from the property via inappropriate measures. EPA performed an exterior survey of the 26-acre facility on December 15, 2015. Observations noted significant demolition activities had occurred within the eastern portion of the Site. Piles of demolition debris remained throughout this area, however it was obvious activities were no longer occurring. Discussions with the Mayor of Canajoharie indicated a payment feud between contractors have caused operations to be suspended.

On December 17, 2015 representatives from Senator George Amedore's office contacted EPA to discuss findings and request assistance. Aides for Senator Amedore stated they entered the facility to find black mold, asbestos and green moss throughout the interior of the western structures. The Senator was concerned about asbestos releases to the community as well as economic impacts due to the unoccupied facility.

On December 23, 2015, EPA contacted the property owner of the Beechnut Nutrition facility. The property owner detailed operations of salvage companies, abatement operations, cooperation with the NYSDEC and other activities. Asbestos surveys of the western areas were generated by Beechnut prior to the sale of the facility and would be shared with EPA. Asbestos surveys were allegedly conducted of the eastern areas prior to demolition activities, and those reports would also be shared with EPA. However, when EPA attempted to email the request for documents, the address was found to be invalid. Phone calls made in attempts to reach the property owner have since gone unanswered. On December 30, 2015 EPA submitted a certified letter to the property owner requesting access.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending January 22, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

Previous attempts to further discuss the conditions at the Beechnut facility proved unsuccessful with incorrect emails provided by the property owner, unreturned phone calls and failure to retrieve documents sent via certified mail. However, on January 19, 2016 communication was re-established and the property owner verbally provided access for EPA to enter the facility. In addition, the property owner provided a working email address where EPA sent electronic versions of the certified mail documents along with a consent form. EPA requested copies of known asbestos surveys that were generated by the recent demolition contractors and the former Beechnut Company.

Discussions with CID indicate the potential presence of dumpsters holding suspected asbestos containing materials. Information provided by a complainant alleges this material is staged in the eastern area of the facility, where previous demolition activities have occurred. CID provided maps of an asbestos survey conducted in January 2012 showing numerous areas throughout the western portion of the facility with positively identified asbestos. Material contaminated with

asbestos include paint coatings, duct insulation, pipe wrap, laboratory countertops, sink coatings, boiler areas, transite panels and other materials. CID is in the process of submitting the full report. An assessment is being scheduled for February 2016.

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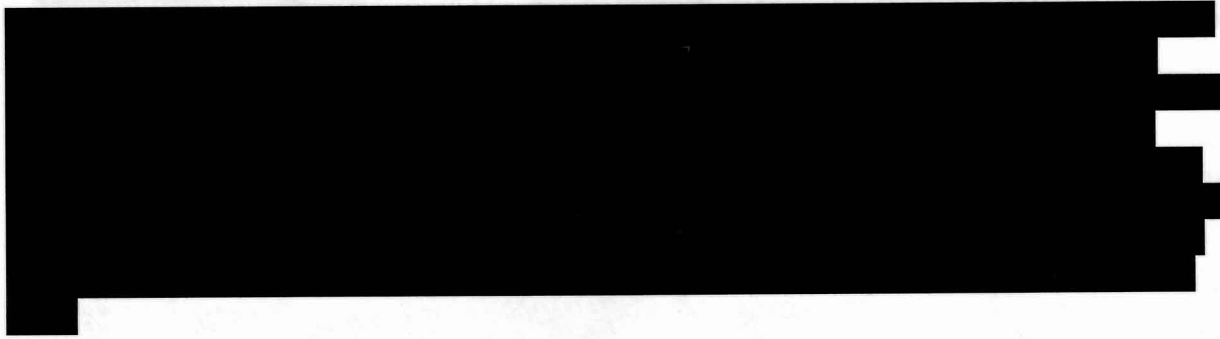
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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending February 19, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

CID and the NYSDOL provided EPA with asbestos surveys conducted of the Beechnut facility. A comprehensive report, including sample collection locations and results, was generated on the western portion of the Beechnut facility; the original, older area. The report indicates asbestos containing material located throughout the facility including pipe wrap, sink coating, transite panels, insulation, countertops, etc. Reports generated for the eastern portion of the Site are limited in scope and pertain mostly to the structures that have been demolished.

EPA intends to survey the Site and collect asbestos samples of suspect material that have not already been identified. Focus will be placed on the eastern portion of the Site where CID forwarded concerns of open containers with comingled demolition debris and ACM. Sampling activities are scheduled for the week of February 22, 2016. Notifications have been given to local authorities and the NYSDOL. The property owner has been contacted numerous times and provided verbal consent on January 19, 2016. Attempts to obtain a signed agreement have been unsuccessful.

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REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT

Report for Week Ending March 4, 2016

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

On February 23, 2016, EPA, RST, and the Mayor of Canajoharie visited the Beechnut Nutrition facility to perform an interior survey. The massive complex, containing approximately 1,000,000 ft² of office, manufacturing and production space has undergone several demolition activities in the eastern area of the Site. Interior spaces were found to contain mold and be damaged due to water infiltration. However, most of the building appeared structurally sound. Asbestos containing material (ACM) was observed throughout the complex as confirmed by previously conducted surveys. Evidence of former asbestos abatement projects were observed to be started, but abruptly ended without completion. Five roll-off containers holding PACM were found inside the warehouse area. Although not appropriately labeled, the containers appeared to be appropriately established to contain ACM.

A total of 14 samples were collected for asbestos on February 24, 2016. Material included that from pipe wrap, retort areas, office spaces, exterior demolition piles and the roll-off contents. Preliminary results identified asbestos in 4 samples, including one exterior demolition pile.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending March 11, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

Two distinctive types of demolition debris piles are located on the eastern portion of the Site. One type contains roofing materials that were never removed following the dismantling of the warehouse structures. The other pile type contains painted cinderblocks that were used as the exterior walls and foundations of the former structures. Preliminary results indicate there is no friable asbestos in the piles containing roofing materials. However, preliminary results indicate the presence of chrysotile asbestos in the one sample collected from the cinderblock pile. To determine if this was a representative sample of all the piles containing cinderblock, additional samples will be collected on March 10, 2016.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending March 25, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

Demolition piles located on the eastern portion of the Site are segregated into metal, roofing material and masonry blocks. Analytical results from one masonry block sample collected from a previous event indicated the presence of chrysotile asbestos above 1%. On March 10, 2016 EPA revisited the Site to collect an additional 12 samples of similar material to determine the extent of ACM in the cinderblock piles. There are approximately 10 piles containing masonry blocks with a white paint-like substance coating one side of each block. Analytical results indicate chrysotile asbestos ranging from 1.18 to 2.48% in the friable material. In addition, four samples were collected of similar material found on existing walls located along the northern boundary. Asbestos was detected between 1.18 and 1.83%, mostly in the white paint-like substance. A draft RSE was submitted on March 22, 2016 recommending a removal action.

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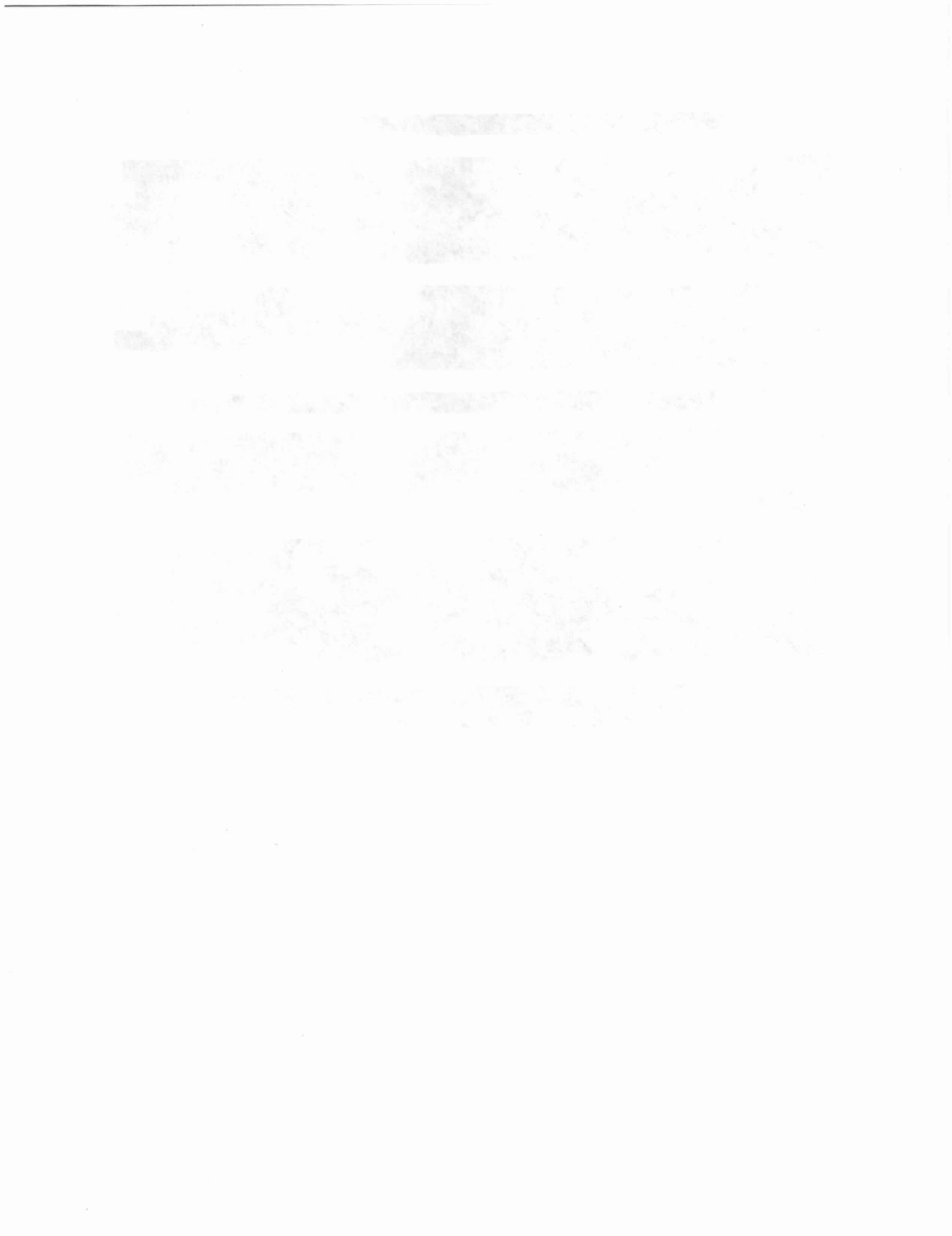
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REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT

Report for Week Ending April 1, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

Due to the convoluted web of owners, operators, abatement contractors, consultants and inspectors, EPA is developing a timeline of events to document potential responsible parties involved in the demolition of structures that contain asbestos. Meetings between EPA and NYSDOL have assisted in information sharing and establishing roles and responsibilities in potential future actions. An additional review of documents was conducted at the Village of Canajoharie on March 29, 2016, which aided in the development of the timeline. A draft synopsis of events and key players is under review with CID. Following review, the removal program will determine PRPs to pursue for clean-up of ACM located in exterior debris piles.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending April 8, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

EPA RAB reviewed documents provided by the NYSDOL, Village of Canajoharie and CID. The documents provided a timeline of events leading to the demolition of structures associated with the former Beechnut facility. They also highlighted the entities involved with the deconstruction effort, including asbestos abatement firms, environmental consultants, scrappers, property owners and sampling teams. This information will be used by ORC and enforcement personnel to determine PRPs for the Site. Parties may then be contacted to notify them of liability issues associated with asbestos containing material currently staged outside, open to the environment.

EPA received validated data confirming the presence of asbestos in materials sampled from the Site. A draft RSE remains under review documenting the findings of assessment activities and the need for a removal action.

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REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT

Report for Week Ending April 22, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

RAB and ORC are discussing options for notifying PRPs of the friable asbestos containing material located outside of the facility. A list of PRPs has been generated based on available documents from the internet, Village of Canajoharie, NYSDOL and CID. On April 6, 2016 the County of Montgomery obtained a Temporary Instrument of Ownership on the property in efforts to inspect the facility and potentially perform an environmental Phase 1 audit. The TIO does not place the County on the chain of ownership and liability protections may be available under an exemption of local government to Section 101(20)(D) of CERCLA.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending May 13, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

ORC has generated draft Notice Letters and 104(e) letters to three potentially responsible parties; a former owner, the current owner and a demolition company. The Notice Letters give the PRPs 14 days to notify EPA on their willingness and ability to perform removal actions associated with asbestos containing material located outside the buildings. These documents are currently under review.

RAB has been corresponding with the Brownfields Program regarding a Targeted Brownfields Assessment that has been started on the Site. The County requested assistance from the Brownfields Program in hopes of determining the extent of contamination associated with past operational activities of the Site. Assessment of the Site will aid the County in determining if

they wish to remediate conditions, foreclose on the property and ultimately place it back into commerce.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending June 3, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

On May 19, 2016, RAB approved the RSE recommending a removal action at the Site. Piles of masonry block coated with ACM are currently staged outside, exposed to weathering. In efforts to give opportunity to PRPs associated with the demolition of former structures that generated these debris piles, ORC generated and mailed 104(e) and Notice Letters to the previous and current property owners. While the previous property owner acknowledged receipt of the documents on May 19, 2016, the current property owner has not signed for the documents. ORC will determine additional strategies for ensuring receipt of the documents.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending June 17, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

RAES and ORC personnel continue to work on communicating with PRPs for the Site. Notice Letters and 104(e) information requests were sent to the previous and current property owner.

On June 3, 2016, EPA was notified that the previous property owner had obtained council. The attorney requested an extension for responding to the 104(e) letter and Notice Letter. ORC continues to communicate with the attorney on determining willingness/ability to perform a removal action in efforts to address asbestos contamination at the Site. In addition, ORC continues to seek dialogue with the current property owner, which, to date, has been unsuccessful.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending July 15, 2016

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BEECHNUT NUTRITION -CANAJOHARIE, NY- Glenn

On July 7, 2016, EPA received a 104(e) response from council representing a former property owner. Upon review, the overwhelming theme presented in the response places blame on the current property owner, past consultants and previous abatement contractors. ORC continues attempts to contact the current property owner, however many certified letters have gone unsigned, numerous phone calls have gone unanswered/returned and emails have not received any responses. ORC is reviewing additional options for contacting the current property owner. An additional 104(e) letter, to be sent to a demolition and salvage company in Oklahoma, remains in draft with ORC.

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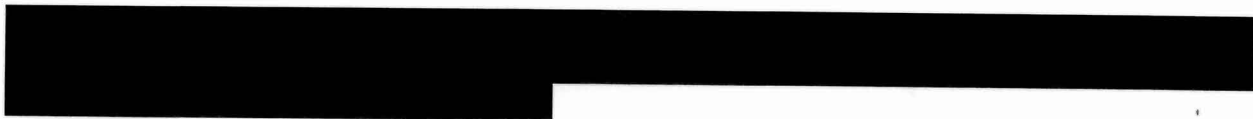
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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending July 22, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

ORC reached the property owner on July 15, 2016. After detailing the conditions of the property, ORC indicated the company's status as a PRP. The property owner stated he sold the company, along with all assets and holdings, however he could not recall the name of the buyer. The property owner stated legal council had been acquired, however he has yet to provide the name and contact for the attorney. ORC continues to facilitate dialog with the property owner and has re-submitted the 104(e) Information Request and Notice Letter. Additionally, following review of the 104(e) response from a previous property owner, ORC is starting negotiations for addressing conditions at the Site based on the PRP's prior operator status. A statement of work was generated for ORC to supply to the PRP.

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**REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT**

Report for Week Ending July 29, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

ORC has been experiencing delays in the responsiveness from the current property owner. Although claiming to have sold the business and all assets with it, the property owner has not been able to furnish EPA with a name of the entity or paperwork indicating the sale. ORC learned that the company, TD Development, Inc. was incorporated on July 14, 2016 to an entity

called 725 Bank Street Development, Inc. The company lists the property owner as a principle suggesting the property owner is attempting to shield personal liability. In addition, the previous property owner, also a potential arranger, continues to state a level of innocence in liability. Issues are further complicated with the representing attorney suggesting his firm may no longer be representing the PRP.

In preparation for a fund-lead action, a draft Action Memorandum has been generated and submitted to RAB management. In addition, ORC is preparing a draft Order in efforts to obtain proper access and PRP actions on the Site to address the asbestos-containing material currently staged in the open environment.

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REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT

Report for Week Ending August 19, 2016

SITE ACTIVITIES

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

The Action Memorandum is currently under HQ review.

ORC successfully communicated with a representative of 725 Bank Street Development, Inc, a shell company that purchased TD Development, Inc in July, 2016. The representative stated he sold TD Development, Inc and all assets to another shell company which he could not identify.

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REMOVAL ACTION BRANCH
WEEKLY STATUS REPORT

Report for Week Ending August 26, 2016

SITE ACTIVITIES

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BEECHNUT NUTRITION - CANAJOHARIE, NY - Glenn

The draft Action Memorandum was approved by the Director of OEM on August 22, 2016 and resubmitted to Region 2. The AM is now back in concurrence in Edison prior to being sent to NY for review and approval by the Regional Administrator. ORC continues to work on access issues. Following numerous attempts to obtain access by communicating with property owners, ownership of the parent company continues to be sold and shielded by shell companies. ORC is in the process of generating an Order for access to perform a removal action at the Site.

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